

REMARKS

Claims 1 to 14 are pending. Claims 1 and 13 are currently amended. Reconsideration of the application is requested.

Applicant apologizes for the errors in the claim identifications in the previous response. Applicant notes with appreciation the Examiners continued prosecution. Applicant additionally notes with appreciation the withdrawal of previous rejections.

Claim Objections

The Examiner has objected to the phrase “is a rhombuses” in claim 13. Appropriate correction has been presented herein.

§ 102 Rejections

Claims 1-13 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent 6,197,397 to Sher et al. (“Sher”). The Examiner takes the position that the silicone release coating is the imprint of the printing material. The silicone release coating is a continuous coating over the entire liner in Sher. See Col. 9, lines 20-24. This coating does not, therefore, provide the relief structure. In the interest of clarity, Applicant has amended Claim 1 to recite that the relief structure is provided, at least in part, by an imprint of a printing material in a pattern on the substrate. The silicone release coating is not printed in a pattern in Sher. Support for this amendment can be found in the Figures. Sher fails to teach or disclose the printing material in a pattern. Claims 2-13 depend, directly or indirectly, from Claim 1 and therefore are patentable for the reasons previously discussed.

The rejection of claims 1-13 under 35 USC § 102(b) as being anticipated by Sher has been overcome and should be withdrawn.

Claims 1-10 and 12-13 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Application 2001/0031352 (“Hannington”). The Examiner states that Hannington teaches a relief structure at Fig. 4, #43 and paragraph 0050. However, element #43 is a non-adhesive portion printed directly onto an adhesive surface. In some embodiments, it is then embedded in the adhesive. The release liner (carrier) is then laminated directly to the printed adhesive. Hannington never teaches or suggests a separating layer carrier comprising a laminar substrate and a

separating layer applied thereon, wherein the carrier comprises a relief structure with raised sections forming substantially complementary channels in a layer of adhesive. Therefore, Claim 1 is not anticipated by Hannington. Claims 2-10 and 12-13 depend, directly or indirectly, from Claim 1 and therefore are patentable for the reasons previously discussed.

The rejection of claims 1-10 and 12-13 under 35 USC § 102(b) as being anticipated by Hannington has been overcome and should be withdrawn.

§ 103 Rejections

Claim 9 is rejected under 35 USC § 103(a) as being unpatentable over Sher. As stated above, Sher fails to teach each and every element of Claim 1. Claim 9 depends directly from Claim 1, and is therefore patentable for the reasons discussed above.

Claims 1-13 are rejected under 35 USC § 103(a) as being unpatentable over Sher in view of U.S. Patent Application 2003/0211295 to Scarborough et al. (“Scarborough”). The Examiner states that one would replace the embossing feature in Sher for the printing feature of Scarborough to save the cost associated with embossing. However, one would also be placing a layer of adhesive over the printed article in order to form substantially complementary channels in the adhesive. Nothing in Scarborough would suggest that the printed material would be effective to form these channels in an adhesive coated over the top. Additionally, the adhesive channels must be open after removal of the release liner so the air trapped during adhesion can escape. One would not reasonably expect that the printed material would remain on the carrier, thereby allowing the air channels that were created to remain open. Therefore, one of skill in the art would not make the modification suggested by the Examiner, and the rejection of claims 1-13 under 35 USC § 103(a) as being unpatentable over Sher in view of Scarborough has been overcome and should be withdrawn.

Claim 14 is rejected under 35 USC § 103(a) as being unpatentable over Sher in view of Scarborough and further in view of U.S. Patent 6,254,583 to O’Donnell et al. (“O’Donnell”). As stated above, Claim 1 is patentable over Sher in view of Scarborough. Claim 14 depends directly from Claim 1, and is therefore patentable for the reasons discussed above. The addition of O’Donnell fails to correct the defects in Sher and Scarborough.

Claim 9 is rejected under 35 USC § 103(a) as being unpatentable over Hannington. As stated above, Hannington fails to teach each and every element of Claim 1. Claim 9 depends directly from Claim 1, and is therefore patentable for the reasons discussed above.

Claim 14 is rejected under 35 USC § 103(a) as being unpatentable over Hannington in view of U.S. Patent 6,350,339 to Sessions (“Sessions”). As stated above, Hannington fails to teach each and every element of Claim 1. Sessions does not correct for the defects in Hannington. Claim 14 depends directly from Claim 1, and is therefore patentable for the reasons discussed above.

Double Patenting

Claims 1-14 are provisionally rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over Claims 1-2, 4, and 6-13 of U.S. Application Number 10/588134. Applicant respectfully defers the response to this rejection until the Examiner has considered the present amendments and the argument that these amendments make the present claims patentable.

In view of the above, it is submitted that the application is in condition for a determination of allowance.

Respectfully submitted,

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